

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH G. SALKELD,

Defendant.

Case No. 19-cr-40058-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Kenneth G. Salkeld's motion for copies of his plea agreement, Judgment and Commitment, and his docket sheet (Doc. 31). He states that these documents are "essential to [his] needs." He has sought them unsuccessfully from the Federal Public Defender's Office, which represented him in his case.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Salkeld has not shown the Court that he needs these documents for some specific non-frivolous court action or that he is financially unable to pay for them from the Clerk's Office. Accordingly, the Court **DENIES** the motion (Doc. 31) **without prejudice** to another motion making the required showing.

IT IS SO ORDERED.
DATED: May 14, 2020

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE